

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

IN RE ETHICON, INC. PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY
LITIGATION

CIVIL ACTION NO. 2:12-md-02327
MDL No. 2327

Hon. Judge Joseph R. Goodwin

This document applies to:

Judith Bounds v. Ethicon, Inc., et al.

2:13-cv-03160

Stephanie Dorney v. Ethicon, Inc., et al.

2:13-cv-02074

Heidi Evans v. Ethicon, Inc., et al.

2:13-cv-25649

Rosanna Frick v. Ethicon, Inc., et al.

2:13-cv-23512

Cathy Orosz v. Ethicon, Inc., et al.

2:13-cv-00996

Jackie Rittenhouse v. Ethicon, Inc., et al.

2:13-cv-23515

Ivette Saylor v. Ethicon, Inc., et al.

2:13-cv-23078

Christina Warnock v. Ethicon, Inc., et al.

2:13-cv-22742

Kimberly Weddle-Nelson v. Ethicon, Inc., et al.

2:13-cv-11432

**PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION FOR ORDER
REGARDING DISPOSITION OF NON-REVISION GYNECARE TVT
PRODUCTS CASES**

NOW COME the above-referenced Plaintiffs, by and through the undersigned counsel, and in response to the motion of the Defendants, Ethicon, Inc. and Johnson & Johnson ("Ethicon") regarding the disposition of non-revision Gynecare TVT Products Cases (ECF Doc. 5313) set forth the following:

On March 2, 2018, Ethicon filed *Defendants' Motion for Order Regarding Disposition of Non-Revision Gynecare TVT Products Cases* (ECF Doc. 5313), which proposes a disposition of cases in which the plaintiff has not undergone a revision procedure. Accompanying the motion as Exhibit A is a list of cases that Ethicon maintains are cases in which the plaintiff has a Gynecare TVT product implanted and has had no revision procedure performed.

The above-named plaintiffs are included in Ethicon's list of plaintiffs who have not undergone a revision procedure. Each of the above-named plaintiffs have in fact undergone a revision procedure and, therefore, are improperly included in Ethicon's motion. Plaintiffs' counsel has informed Ethicon that the above-named plaintiffs are not properly included in Defendants' motion pertaining to non-revision cases. Plaintiffs file this response to preserve their claims and avoid dismissal to the extent that Ethicon's motion is granted.

Respectfully submitted,

By: /s/ Benjamin J. Steinberg
BENJAMIN J. STEINBERG

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CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2018, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

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